IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

WP(C).No. 35814 of 2005(L)

AGAINST THE ORDER DATED 28/11/05 IN EA. 2207 OF 2005 IN OS.2644/1998 of PRL.MUNSIFF'S COURT,THRISSUR

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PETITIONERS:

CHACKO, S/O. VARGHESE,
MUTTATH HOUSE, OLLUR, THRISSUR.

BY ADV. SRI.P.A.AUGUSTINE(AREEKATTEL)
SRI.K.B.RAMANAND

RESPONDENT:

MANUAL SONS FINANCIAL ENTERPRISES (P)LTD
M.O. ROAD, THRISSUR, REP. BY ITS MANAGING DIRECTOR

BY ADV. SRI.A.MOHAMED MUSTAQUE
SRI.M.K.SUMOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.35814/05

APPENDIX

PETITIONER'S EXTS:

EXT.P1 – TRUE COPY OF ORDER IN EA.2207/05 IN O.S.2644/98 DT.28.11.05 OF PRL.MUNSIFF'S COURT, THRISSUR.

EXT.P2 – TRUE COPY OF PAY SLIP OF PETR. FOR OCTOBER, 2005 ISSUED BY CHIEF MANAGER, SOUTH INDIAN BANK LTD., ERNAKULAM REGION.

/TRUE COPY/

PIUS C. KURIAKOSE, J.

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W.P.(C)No.35814 OF 2005

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DATED THIS THE 18TH JUNE, 2007

J U D G M E N T

Ext.P1 order by which the court below fixed the attachable portion of the salary of the petitioner as Rs.2000/- per month is under challenge in this Writ Petition under Article 227 of the Constitution.

2. While admitting this Writ Petition, this Court granted stay on condition that the petitioner will remit every month at the rate of Rs.1000/- commencing from 23.1.2006. I am inclined to dispose of the Writ Petition itself directing continuance of that interim order for a period of six more months. It is open to the petitioner to file the latest salary certificate issued to him by his employer and seek modification of Ext.P1. If the latest salary certificate is not produced by the petitioner, so as to enable the court below to modify Ext.P1 on the basis of the same, within six months, the impugned order (Ext.P1) will become operative.

The Writ Petition is disposed of as above.

(PIUS C.KURIAKOSE, JUDGE)

tgl